

AMS Assembly minutes - Sunday, March 03rd, 2013
Dunning Hall Room 14

**letters and numbers beside motions are direct reference to those presented in the agenda*

**assembly commenced at 5:02 pm*

Speaker Scott Mason (hereafter referred to as **Speaker**): Welcoming and opening remarks.

1. Approval of Agenda

Motion(1) that AMS Assembly approve the agenda for the Special Assembly meeting of March 03rd, 2013.

Moved by Commissioner of Internal Affairs Liam Faught

Seconded by Vice-President of University Affairs Mira Dineen

Motion(1) carries.

2. Speaker's Business

Speaker: Thank you everyone for joining in this special episode of AMS assembly. Regarding my absence on Valentine's Day, I respect all members of assembly and their time. There was a miscommunication between the members of the assembly who saw the photo of me and my girlfriend out at dinner. That was at around 5:30 pm so we ate before assembly took place. My circumstances changed with my assignments being due on Friday. I thank Member Basilio for motioning for my impeachment.

We received this email 24 hours earlier asking the AMS assembly to consider Peter Green's letter of resignation and his withdrawal. Commissioner Faught and I reviewed this motion at great length. The constitution clearly states that the executive is able to nominate a successor to be approved by assembly. If you disagree with this ruling, you can motion to overturn with a 2/3^{rds} vote.

**Commissioner of Internal Affairs Liam Faught recorded down a list of all those who were acting as proxy for assembly members.*

ASUS Representative to the AMS Alexander Prescott: The constitution states it's for current sitting executive members; does it still apply to the elect?

Speaker: Yes I'm allowing this ruling and it does apply because they will ultimately sit in the future.

**Speaker Mason briefed the assembly on the rules and conducts regarding speaking rights and motions. This was due to the overwhelming amount of students, members at large and proxies present, new to assembly.*

Motion to open the agenda

Moved by Member at Large

Seconded by ASUS Rep to AMS Prescott

Motion carries.

Motion to add a motion to overrule the Speaker's decision of Peter Green's letter of resignation

Moved by Member at Large

Seconded by ASUS Rep to AMS Prescott

Motion fails.

ASUS Representative to the AMS Alex Rotman: Can we vote for a secret ballot?

Speaker: You can if you want but I don't see the point.

Motion to close the agenda

Moved by AMS President Doug Johnson

Seconded by ASUS Vice-President Tom Jacobs

Motion carries.

3. New Business

a. Motion(2) that AMS Assembly approve the appointment of Nicola Plummer as Vice-President (Operations) of the Alma Mater Society for 2013-2014.

Moved by Student Senate Caucus Chair Eril Berkok

Seconded by T.K. Pritchard

Speaker: I will allot 5 minutes each for speaking.

Chairman Berkok: I will outline 3 things tonight: a broad timeline of when BGP formed up until now, the process of this appointment and why Nicola Plummer is the right choice. Peter Green was very capable and hungry for learning for the position of Vice-President of Operations. All the efforts were cohesive and we worked tremendously well as a team. After the election, that is where the shift occurred. We sell ourselves and ideas during the campaign and afterwards are when we begin doing the duties. We sat through over 12 hours of hiring process and that's when negative trends began emerging. We saw a lack of willingness to learn, humility, and the attitude didn't match well with the rest of the team. Peter came to the decision himself to resign through discussion. We are now here to approve Nicola Plummer to VP of Ops position for next year. We are in time where an AMS Exec needs to be together 100% so that we as students and society reach the goals we want to accomplish. We need to vote that 2/3rd majority to serve this society as a whole and this will benefit everybody.

Pritchard: We have nominated Plummer and we truly believe she would excel at this position. She proved herself during the election, debates, and she understands the AMS and the operation sides. Our team stands behind us and are very excited to work with her. We want to work with her and she's the best choice to serve students extremely well. I encourage you to vote for her.

Speaker: Please raise your hand for a speaker's list.

ASUS President John Whittaker: I fully support the nomination of Nicola Plummer for the VP of Ops position for the AMS. This is not a BGP issue, but an AMS issue. An incoming member has resigned out of his own volition, and now it is the responsibility of the society to elect the most suitable individual. The logistical concerns would be leaving the position open for a vacant period of time extended, in light of the recent resignation of the AMS General Manager. If we do not accept the executive's recommendation, given their proven track record of the candidate then it shows we don't have confidence in our AMS Executives. How does this resonate and reflect on the rest of the student body then? Anything other than choosing Nicola Plummer has an effect of AMS operations that students truly value.

(Incoming) Media Services Director McDonald: This is a letter signed by all nine of us, the incoming council. We are from external and internal backgrounds and we believe forcing an election at this juncture would be detrimental to students.

Engineering Society Representative Douglas Haney: This motion being passed is crucial for the longevity of AMS. For the students who voted for BGP, what kind of guarantee is there?

Pritchard: Cohesively as a council. Nicola said to me: "I have no intent to take away your ideas but to simply add to them." I don't think there is a concern to the ideas we put forward and the kind of team we are. We wouldn't nominate her if we weren't comfortable with her.

ASUS Representative to the AMS Tyler Lively: Nobody said democracy was easy or the most efficient system invented. It's the best system we have when lined up with everything else. Every second week here at assembly, members vote to value democracy and student opinion. We let our action speak louder than words. I ask you today to not vote in favour of this motion but to let the people decide. BGP has been giving a first chance to make their team work, but the second chance should not be easier than the first. I don't think it's fair for a member to drop out and have them ratified by 40 students. It's in the constitution but not the right course of action. We have a responsibility to use that power wisely and knowing when to use it and when not to use it. Spiderman once said: "With great power, comes great responsibility." I'm looking forward to hearing your opinions because it's the most number of students I've seen today in the audience.

Motion that there should be no clapping during debate of the motion

Motion carries.

MCRC President Tuba Chishti: This isn't an ideal situation or a fair one. We can call for a vote of no-confidence, but a by-election will take at least 20 days. Based on that, the current council, their contracts are no longer valid. We would then have only one week in March to hire new council and I don't know if it's fair to those who were hired before. There are around 500-600 students who are employed through the commissions. For the AMS to function and for students to have what they want next year, and that is more important than one person sitting in office. I don't know a better candidate than Nicola.

Member at Large: Does this not affect the council members that have been hired?

Vice-President of Operations Tristan Lee: The process for hiring council for officers and offices are a group decision of the Executive team, not one single person. All members of council have been ratified by the Board and the assembly. If the incoming were impeached, then there would be another hiring process.

President Chishti: No by-election for VP of Ops because constitution states that a team has to be elected.

ASUS Rep to AMS Prescott: I find it concerning that after a position has been vacated, 40 members can decide who will be their next Vice-President of Operations. It is important that we recognize that we are founded to represent members, and derive that legitimacy by asking them if we can represent them. I'm afraid that the administration and stakeholders will see that in the sake of expediency, we are sacrificing the democratic process. We do not set a false pretentious precedence without taking it to the people.

Hospitality and Safety Services Director Keenan Randall: Do you see the AMS constitution as legitimate?

Prescott: We do not have a policy for this situation. It's for current sitting members only. For political expediency, it's easier to put in somebody and ask assembly instead of asking the people who that individual will be representing. We need to take it to Queen's students for it to be legitimate.

Nursing Students Society President Jessica Searle: AMS's goal in the end is to serve to students and I strongly encourage members to consider what is best for students. Berkok and Pritchard as incoming elect need someone who they can clearly work with. If this motion fails, then they may lose their cohesiveness as a team.

Motion for a prioritized speaking list

Motion carries.

ASUS Rep to AMS Rotman: A motion to appoint threatens the legitimacy of the executive elects. It represents a threat to the assembly as a whole. Such a consideration of this magnitude

without consulting students would be detrimental to the AMS. There are mentions of her qualifications, but we are not a meritocracy, but a society that operates on an ideal that no experience is necessary. Given that there is no policy currently, we need to consult students in some fashion, in referendum on this candidate or the team as a whole. I think it's the right thing to do in this circumstance.

Aesculapian Society Representative James Simpson: I am undecided because I'm not sure about the decision in the first place. How did you guys choose Peter Green what did you learn from that experience in choosing Nicola Plummer.

Pritchard: Through recommendations of others, he's done good work in other organizations. Our first talk was over 6 hours. He showed us he was going to take on that learning curve because he was external. We faced a crisis together, and he stepped up, and this gave confidence in ourselves and teammates. On Sunday night, we had our last conversation about this. Green said: "I have no interest in hurting you, or ruining your experience at Queen's." We hugged it out. I know you want an explanation but I'm a man of my word and so is Eril and I vow to keep that promise. Nicola was willing to go through a four month election process, willing to lose, and consider the option to do it again. Thousands of students voted for Nicola's team, and I've not heard anything negative about this woman. She has shown on every front that she will do a great service to this society and the students. Nicola had to think about this quite some time and we won't take this lightly.

Member at Large: The letter in the journal doesn't seem like it ended in a hug. This seems like a big disconnect.

Pritchard: The letter was written afterwards. I have no idea what happened. I woke up Thursday morning completely shocked.

Berkok: Nicola shows a strong capability and willingness to learn. I have received great testimonials in those who put their trust in her.

Member Kanivanan Chinniah: It's very nice to have Mr. Mason back as speaker. The highest principle is that a team gets elected as a three members by the students. We should not hide behind the curtain of assembly or the constitution but go to the people and not the 40 of us here today to appoint a defeated candidate.

Director Randall: Transition is by far the most important time for our services. This is not the time to be leaderless. No one intended to be here but the constitution is in place for a reason. Should this issue arise, it allows the AMS to function expediently.

Prescott: It doesn't say anywhere in the constitution of those 'incoming.'

Speaker: The AMS Executive elect is in terms still the Executive, just not yet.

Vice-President of University Affairs Mira Dineen: It is not written anywhere in the constitution but interpreted as that.

**ASUS Representative to the AMS Alexander Prescott wished to be shown on record that he does not agree with this interpretation of the AMS constitution.*

Randall: We go through 40 hours of training. This is not just two people hiding behind the constitution but using it for what it's exactly meant to do. As members who receive votes from your residence, society, or faculty, you act in everyone's best interest.

President Johnson: We are strongly in favour of T.K. and Eril's choice. Unbelievably fortunate to have a candidate who is independently qualified and has stood in an election. It speaks to their character by reaching out to a member of the opposing team. The rest of the AMS flows from the working dynamic of the executive. If they do not get a long, in approach or style, the entire society is affected. There is no such evidence exists that the candidate is not suitable for this job. It is our interpretation that the exec-elect are bound by all constitutional procedures as the current execs. This is the same policy we went through when the commissioners are ratified. The trustees and administration asked me how to fix this, and for some of them, it was their opinion that we fill this position by an assembly vote as soon as possible. So then, the hiring and transition can keep going without any more bumps. The 1988 Vice-President of University Affairs, who is now a lawyer, said this was the right decision.

Lively: The AMS is exercising its authority, but if undesirable, they should hold an election.

Prescott: If the president cannot comment on a legal opinion, why did he bring it to record?

Johnson: It is not a formal opinion but a casual understanding but I cannot speak on her behalf.

Lively: The letter states there are only three options. Ratifying the nominee, reject the nominee or have the assembly put forth new nominations. Section 2.02.04 in the constitution states more.

VP of UA Dineen: We did include the full policy in the letter and not in our intent to exclude information.

Proxy Goodwin for ASUS Representative to the AMS Erin Paulsen: Understand that putting Nicola in this position gives these directors and commissioners support. With a tight timeline, we might not have AMS service staff for students in the summer. That's when we do our training and everything in to place such as hiring before summer break. Services may not function and that 75% has to be new staff. As Head Manager of Common Ground, Nicola has come to me before the winter break to understand the position better and I've seen her sitting in Tristan's office learning about it.

Chinniah: If there was a petition of signatures from 10% of the student population, will the CIA call for an election.

CIA Faught: If a petition is put forward in accordance with policy in place, an election would be held.

Chinniah: How much is 10%?

Faught: 1500 students.

Motion to extend debate for half an hour

Moved by CESA President Philip Lloyd

Moved by ASUS President John Whittaker

Motion carries.

Academic Affairs Commissioner elect Allison Williams: 40 representatives are elected by students and represent more than 40 students.

Member at Large: The individual is voted on a team which the students voted for. The team is now not here. This is not covered by the constitution. BGP no longer exists and that's what the students voted for. I highly recommend them to accept Green's withdrawal and their own as well. Win as a team, lose as a team. The team is not complete and that's how they were voted in.

Chishti: We should not be discussing the points that have already been turned down.

Member at Large: The procedural motion that were passed was selected by that few. I wanted to put forth that it was unconstitutional because I could not do the same.

Member Donaldson: Not just efficiency that comes with the elect idea. Keep in mind that everyone in this assembly works for their constituents. It doesn't seem like a clique, but if the assembly does make this decision on a Sunday night, students may feel like it's an inside process. We can reject a nomination and ask for them to bring forth nominees for Thursday. That gives assembly time to come up with contingencies and hold town halls.

VP of Ops Lee: No experience with AMS is required to hold the position. I had to learn a ton of information as CoGro Head Manager and although it helped me, it did not prepare me exactly. That attitude and hunger and hard work is required no matter what your background is. AMS elect begins meeting with university administration very soon just like last year we met with them to discuss reopening of the PEC. If individuals believe the constitution should be changed, they can bring it forward next assembly.

Member at Large: Do you believe the author of the constitution would have conceived today's scenario.

Lee: We had to prepare for the possibility that they resign before the term.

Member at Large: But in this case they are resigning halfway through their term rather than before their term.

Lee: The role of the exec and the elect are synonymous in many ways. Nicola Plummer has gone through the public scrutiny of election. Two teams working together should be taken positively. We should consider their dedication and the fact she has been publicly vetted in the discussion. I will be leaving on April 30th and the General Manager has left, so that means I'm the only person left to train the incoming individual.

Motion for to allot speaking time to 1 minute and 30 seconds

Speaker: The debate is becoming cyclical and there are those who have spoken before.

Motion carries.

Lively: Is it possible to table this discussion and motion for the next assembly?

ASUS Representative to the AMS Daniel Basilio: Can we overrule this with 2/3rds majority?

Motion to table motion after discussion

Motion fails.

President Lloyd: We have done this multiple times ratifying a member so we are not new to this. We are focusing on the individual that we are ratifying. The two people standing here today are those you voted for so have some faith. If you do not feel confident about your decision then why are you here in the first place? You should resign immediately. We are one of the few universities that have this much student input and we need to prove that it works.

Member at Large: Do you have any documents to show if someone voted for an individual or team?

Lloyd: I'm not telling people how they voted, but if you voted you knew this could happen and may have had to make this decision.

Member at Large: Their platform has only been mentioned once tonight. If Plummer can fill the position and follow the platform we voted on, I see no reason why she should not be voted in.

EngSoc Haney: Point of information. It was me that mentioned the platform.

Member at Large: I'm concerned about how we are hiding constitutional procedures. The people who wrote them up did not know that this would happen tonight. It seems like it's too much work tonight to go out in an election because Nicola would win. No amount of work should be too much if it preserves what we are trying to do at the end of the day. In the interest of democracy I think it should go to an election.

Undergraduate Student Trustee Lauren Long: An election just for the VP of Ops cannot be done. If there is an election it has to be a full team.

Faught: There is no mention or precedent for a by-election of an individual of the exec. If one resigns, he or she can be appointed subject to approval by 2/3rds vote. Logistically it is possible, and hypothetically possible but there is no precedent, no mention and no guideline.

Rector Nick Francis: I feel the need to emphasize the significance and importance of not going through with this process. As a student representative who has been in office for over a year and a half, I've seen many negative things come from the administration. There will be an incalculable cost if this continues or goes through another election. We have this one time to put this constitutional oversight aside and look in the best interest of students. If not, this will hurt the students for years to come, and I encourage you to consider what is in the best interest of students as it should be the underlying theme.

Member at Large: The agenda has already been approved and we're debating whether Nicola Plummer is eligible to be a VP of Ops elect and I ask assembly members to vote on that.

Prescott: She lost that election and failed her vetting process. As written in Thursday's journal, the AMS Information Officer in the 24 years of working for the AMS has never seen an exec resign and there is nothing in the constitution that applies to it. We can draw from his experience and we can't just apply the constitution directly on this situation. If this team think they have the confidence of the people, they should have no fear then, to go back to them to find that legitimacy.

Chinniah: Will she accept the BGP platform and denounce the TNL platform if she is confirmed tonight?

Commerce Society President Nicola Plummer: I'm fully ready to accept the BGP platform and I don't think it's necessary to denounce the TNL platform.

Basilio: I've been best friends with Eril and a core member of their campaign team. I have complete trust in these two people and Plummer as the best Ops candidate. I believe she is suitable for the role.

Member at Large: In the track record of her election she did not win.

Commissioner of the Environment and Sustainability Ty Greene: Nicola lost the election but there was a team that lost but it wasn't theirs. We are picking the better one of the two.

Prescott: Thanks for the drive by smear. This is such a professional institution.

Engineering Society President Taylor Wheeler: EngSoc will be voting in favour and I fully support this.

Motion to call the question

Moved by President Whittaker

Seconded by President Chisti

Motion carries.

Motion for roll call

Moved by ASUS Rep to AMS Basilio

Seconded by President Whittaker

Motion carries.

Berkok: We can only move forward if we elect Plummer. We can be a cohesive team that the constituents need.

Pritchard: Eril and I are the same people when we ran and the same people you voted for. Nicola will be a great addition to our team. I appreciate all the comments said tonight. This is going to be a difficult process for her and we are coming to May 1st really soon and this is a steep climb for everyone. Nicola will be an incredible Vp of Ops.

Rotman: What is the vote count needed to pass this motion?

Faught: There are 42 members of assembly so 28 are needed. We have 41 members present and that still needs 28. Abstaining will affect the denominator; for everyone that abstains, the denominator decreases by one and we would calculate $2/3^{\text{rds}}$ of that.

Yays

AMS President Doug Johnson

Vice-President of University Affairs Mira Dineen

Vice-President of Operations Tristan Lee

Aesculapian Society President Ben Frid

Aesculapian Society Representative Ali Tafti

Aesculapian Society Representative James Simpson

ASUS President John Whittaker

ASUS Vice-President Tom Jacobs

ASUS Representative to the AMS Daniel Basilio

Proxy for ASUS Representative to the AMS Greg Allan, Dylan Trebels

Proxy for ASUS Representative to the AMS Erin Paulsen, Mackenzie Goodwin

Proxy for ASUS Representative to the AMS Ali Zahid, Caitlin Coffey

CESA President Philip Lloyd

CESA Representative Ruxandra Filip

CESA Representative Olivia Chan

CESA Representative Hannah Ramsay

ComSoc Vice-President (External) David Koke
ComSoc Vice-President (Internal) Daniel Fairwell
ComSoc Upper AMS Representative Avanti Ramachandran
ComSoc Lower AMS Representative Timothy Lee
COMPSA President Elizabeth Lappin
COMPSA Vice-President (University Affairs) Sahib Purba
EngSoc President Taylor Wheeler
EngSoc Vice-President (Student Development) Vikram Bhatia
EngSoc Sci '13 Representative Douglas Haney
EngSoc Sci '14 Representative Maya Pandya
EngSoc Sci '15 Representative Alex Savides
EngSoc Sci '16 Representative Nick Hetherington
MCRC President Tuba Chishti
MCRC Vice-President John Liu
MBA Society President Mitch Gudgeon
Nursing Students Society President Jessica Searle
Nursing Students Society Vice-President Nina Wan
PHEKSA Vice-President Caileigh Simpson
Proxy to PHEKSA President Steven Gillies, Ellen Fowler
Proxy to PHEKSA Representative Tori Law, McIntyre
PHEKSA Representative to the AMS #4

Nays

ASUS Representative to the AMS Alex Rotman
ASUS Representative to the AMS Tyler Lively
ASUS Representative to the AMS Alexander Prescott

Abstentions

Commerce Society President Nicola Plummer

37 in favour

3 against

1 absention

Motion(2) carries.

Lively: The result was not unanimous so we cannot clap.

Motion for a 10 minute recess

Motion carries.

**recess at 7:07 pm. Assembly resumed at 7:21 pm.*

Motion to resume assembly

Motion carries.

b. Motion(3) that AMS Assembly move into closed session for the remainder of the Special Assembly.

Moved by AMS President Doug Johnson

Seconded by CIA Liam Faught

Motion(3) carries.

**at 7:23 pm, the assembly moved into a closed session. Minutes were not recorded hereafter and the scribe was no longer present. The following discussion was kept confidential.*

Recorded, prepared, and written by Barrie Li

Scribe for the AMS Assembly

March 03rd, 2013